

FOUR TIMES SQUARE
24TH FLOOR
NEW YORK 10036-6522
—
(212) 735-3000

December 4, 2013

Via ECF and FedEx

The Honorable Carol B. Amon
Chief United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: United States v. Lopez-Perez, et al., 11-CR-199 (CBA)

Dear Chief Judge Amon :

We represent victims Jane Doe Number 1 and Jane Doe Number 4 in the above-referenced matter. We respectfully submit this letter in support of the Government's letter dated November 26, 2013 (the "November 26th Letter"), which addresses the Court's concerns as articulated at the November 21, 2013 proceeding (the "Proceeding"). As the government correctly indicates, our clients emphatically and unequivocally wish to remain anonymous – identifying themselves respectively by either their first name and last initial (according to the wishes of Jane Doe Number One) or as Jane Doe (according to the wishes of Jane Doe Number Four) – and their decision to deliver their Victim Impact Statements at the Proceeding was conditioned upon the belief that they would only be identified in this manner.

We incorporate by reference the legal arguments advanced by the Government in its November 26th Letter and therefore do not address the rights of the defendants here. The safety of our clients is our paramount concern. We believe that disclosing the victims' identities at this stage of the proceedings would expose them to heightened threats of reprisal and would seriously jeopardize their safety and the safety of their families; this belief is shared by the victim advocacy groups and members of law enforcement who are knowledgeable about the particular circumstances of this case, as well as applicable authority on this issue. Accordingly, if this Court rules that our clients must publicly disclose their full

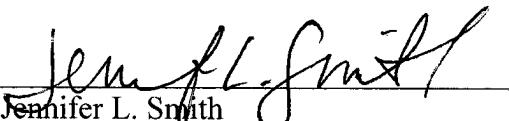
Honorable Carol B. Amon
December 4, 2013
Page 2

names, it is likely that our clients would decline to participate in the sentencing hearing currently scheduled for December 9, 2013, and we could not advise them to do otherwise.

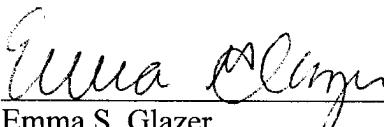
Thus, a ruling requiring Jane Does Number 1 and Number 4 to publicly disclose their full names would deprive them of their rights under the Crime Victims' Rights Act ("CVRA") to be "reasonably heard" in the District Court as to the horrific crimes committed against them and to, at all times, be treated with "fairness and with respect for [their] dignity and privacy." 18 U.S.C. § 3771. Jane Does Number One and Number Four have endeavored mightily to rebuild their lives and to put the exceptionally painful and degrading events of their past behind them. Exposing them now as victims of explicit and violent crimes to all who know them in their new lives will subject them to further humiliation and embarrassment in the present and will brand them permanently in the future – a result clearly at odds with the CVRA and any notion of fairness.

To conclude, we respectfully request that this Court consider the safety, dignity and privacy afforded crime victims under the CVRA and allow our clients to proceed according to their preference of Jane Doe or by the use of their first name only.

Respectfully submitted,


Jennifer L. Smith
Danielle Gill
4 Times Square
New York, New York 10036
Telephone: (212) 735-3000

Attorneys for Jane Doe Number One


Emma S. Glazer
4 Times Square
New York, New York 10036
Telephone: (212) 735-3000

Attorney for Jane Doe Number Four

cc: Clerk of Court
All counsel (by ECF)